TOWN OF MIDDLEBOROUGH OFFICIAL MEETING POSTING

NAME OF PUBLIC BODY: Board of Selectmen

DAY AND DATE OF MEETING: Monday, April 2, 2012

TIME OF MEETING: 7:00 PM

LOCATION OF MEETING (INCLUDING ADDRESS): Town Hall, 10 Nickerson Avenue

MEMBER OF PUBLIC BODY POSTING MEETING: Jackie Shanley, Confidential Secretary to Board of Selectmen

POSTED BY TOWN CLERK'S OFFICE: Rec. March 29, 2012@3:12 pm

**FOR CANCELLATIONS*
MEMBER OF PUBLIC BODY CANCELLING MEETING: [Type text]
CANCELLATION POSTED BY TOWN CLERK'S OFFICE: *DATE:* *TIME:*

AGENDA

1. **Pledge of Allegiance**
2. **Unanticipated**
3. **Announcements & Recognitions**
4. **Minutes:** 3-26-12 Regular & E.S. Minutes
5. **New Business – 7:05 PM**
   a. Vote to re-appoint Sarah Jigerjian and Linda Bullard to the C.O.A. Board of Directors for two-year terms expiring 11/30/13.
   b. Vote Board of Selectmen 2012 Annual Appointments as presented.
   c. Vote to re-appoint Maranna Abren and Nancy Ockers to the Library Board of Trustees for three-year terms expiring 3/31/15.
   d. Vote to approve Town Hall rental of Selectmen's Meeting room for Proprietors of Woods Lake on 4/25 & 10/10/12..
   e. Vote to adopt informal rules of procedures found in 801 CMR 1.02. The Rent Board hearing on the general rent adjustment requested by Hillcrest originally scheduled for 4/11, and now tentatively scheduled for 4/25, will be conducted under these informal rules of procedure.
   f. Vote on request by various Edgeway Homeowner's to waive Rent Petition filing fee.
6. **Hearings, Meetings, Licenses**
   7:30 PM Review ATM Articles #28 and 29 with Board's Secretary.
   7:40 PM Review ATM Article #18 with C.P.A. Chairwoman Jane Lopes.
7. **Unfinished Business**
8. **Town Manager's Report**
9. **Correspondence**
10. **Executive Session** – Collective Bargaining
11. **Adjourn**

Middleborough Board of Selectmen **April 2, 2012**
Meeting Minutes

Chairman opened meeting at 7:00 PM by inviting those in attendance to join in the Pledge of Allegiance.

In attendance were: Selectmen A. Rullo, S. McKinnon, S. Spataro, A. Frawley, and B. Quelle, and Confidential Secretary J. Shanley.

Town Manager C. Cristello was in attendance at Finance Committee meeting.

The meeting was broadcast live by Verizon and MCCAM and recorded by MCCAM.

UNANTICIPATED

Selectman Frawley announced that the paranormal investigation at Town Hall conducted by Paranormal Expeditions on Friday, 3/30 was a successful hunt. They captured a photograph of an apparition in a window of the auditorium and obtained audio recordings of running in the basement.

Selectman Frawley noted that today was Autism Speaks Day and that he had received notification of this late today. This did not allow him the opportunity to arrange for flashing blue lights on Town Hall. He will try to have this done next year.

Selectman Frawley challenged all members of the Board to a canoe race on 4/28/12 on the Nemasket River.

Fran Cass, Superintendent of Parks & Recreation informed the Board that Ernest Bigelow past away on Friday. He was a life-long resident, MHS graduate, and a World War II Veteran. Mr. Bigelow and his wife, Lillian, worked for the Parks department for approximately 40 years. Donations may be made to the P&R department for the children's summer program at the request of his family. They will dedicate the concession stand during the Joe Masi Wienee Roast. Chairman asked those in attendance to participate in a moment of silence. Selectman McKinnon asked if Mr. Bigelow could be recognized in the Annual Town Report either this year, or next. In response to inquiry by Selectman Spataro, Judy Bigelow Costa advised the Board that she will be planning a service for the end of May or the beginning of June. She will announce the details at a future time.

ANNOUNCEMENTS

Judy Bigelow Costa announced various Job Fairs planned for 4/4 and 4/26/12. Selectman Frawley requested that this information be posted to the Town's website.

Mimi Duphily mentioned that Town Elections are scheduled for Saturday, 4/7/12, and that, for those residents that may be traveling for the holiday weekend, they may vote early at the office of the Town Clerk, 20 Centre Street.

Chairman read aloud public announcement re the Water department and the work that has begun on a water quality improvement project at one of the water storage tanks. The project is scheduled

to be completed by the end of May, but until that time, residents may experience minor water system pressure fluctuations and are also asked to conserve water during this time. Selectman McKinnon offered that the MPD had received numerous telephone calls when the Water department drained one of the tanks one week ago Friday. He suggested that all future work should be advertised better so as to not disrupt the Police department from public safety matters and to not tie up the emergency telephone lines. Board will ask the Town Manager to contact the Water department to assure that future scheduled work is publicly announced in advance.

Selectman Frawley noted that the dam at Assawompset was shored up this weekend causing the water levels at the Nemasket River to drop, however, the matter has been addressed and is in process of being rectified.

MINUTES
Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to approve 3/26/12 meeting minutes.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve 3/26/12 Executive Session meeting minutes.

NEW BUSINESS
Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to re-appoint Sarah Jigerjian and Linda Bullard to the COA Board of Directors for two-year terms expiring on 11/30/13.

Motion made by Selectman Frawley and seconded by Selectman Quelle to re-appoint the Board's Annual Appointments as presented, with a question by Selectman McKinnon. Selectman McKinnon noted that the Town has been spending money on various legal counsels and asked if this might be a good time to begin looking at a counsel that would specialize in the various subject matters that the Board seeks advice for, such as considering hiring a law firm. Chairman offered it's not a bad idea, but it would be a question of finances and require research. Selectman McKinnon would like the Board to look at that. Chairman suggested we put it on a future agenda item. Selectman Spataro offered that the Board could get some input from the Town Manager when he joins the meeting. Selectman McKinnon offered that he has no problem with re-appointing the present Town Counsel, at this time, with discussion of the matter in the near future. Board voted unanimous to approve appointments as presented.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to re-appoint Maryanna Abren and Nancy Ockers to the Library Board of Trustees for three-year terms, expiring on 3/31/15. Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to send letter of thanks to Betty Renfrew for her many years of service on the Board.

Upon motion by Selectman Spataro and seconded by Selectman Quelle, Board voted unanimously to approve Town Hall rental request by Woods Lake Proprietors.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to adopt informal rules of procedures found in 801 CMR 1.02. The Rent Board hearing on the general rent adjustment requested by Hillcrest MHC LLC scheduled for 4/25/12 will be conducted under these informal rules of procedure.

Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted to deny request by various Edgeway Mobile Home Park homeowners to waive their rent petition filing fee. Selectman McKinnon noted that if the Board were to waive this fee, it may set a precedent for future applications. Selectman Quelle confirmed with Board's Confidential Secretary that another Mobile Home Park owner has recently submitted an application and has paid the filing fee. Four in favor. Selectman Frawley opposed.

HEARINGS, MEETINGS, LICENSES

Board reviewed ATM Articles #28 and 29 with the Board's Secretary. Chairman read aloud the Articles, both of which pertain to extended hours in which alcoholic beverages may be served by local establishments. Board agreed it would like to receive the Police Chief's opinion on the occasional 1 a.m. to 2 a.m. extension for serving and the Board requested that Town Counsel be contacted for clarification as to when these extensions may be granted.

C.P.A. Chairwoman Jane Lopes addressed Board to review ATM Article #18, noting that this article establishes the CPA budget. Jane explained that they are allowed to set aside 5% annually for administrative costs. They have no administrative costs at the moment, but were advised to set it aside for when they do. None of the money is envisioned to be spent in the coming fiscal year. The bookkeeping is done by the Town Accountant. Selectman McKinnon asked if there are people brining prospective projects to the CPA. Jane responded that there are Town department heads who want to meet with the Committee, but the CPA has to establish certain matters first. As soon as they approve the application process, it will be advertised and on web and people can submit applications.

CORRESPONDENCE

#3 Selectman McKinnon noted MBTA letter announcing fare increases and service reductions.

Town Manager joined meeting at 7:46 PM.

#9 Selectman McKinnon noted correspondence from Police Chief re Class II Internet Automobile Dealer licenses

#12 Selectman McKinnon noted letter from an Edgeway Mobile Home Park resident re their Comcast service problems. Town Manager pointed out that we referred the matter to the Permanent Cable Committee.

#10 Selectman Frawley offered thanks to Edgeway residents for notifying the Board of Senator Pacheco's Forum re Manufactured Housing held on Friday, March 31, 2012.

Chairman raised earlier discussion and asked Town Manager if this is a good time to look into hiring a legal firm to handle multiple matters and save money. Selectman McKinnon suggested that the Schools, Planning Board, BOS, ZBA, MG&E, all use legal fees and with use of Special Counsel the fees can add up. Town Manager offered that he had same conversation with Finance Committee a few minutes ago. He noted that the Town doesn't really have many special counsel needs. Its main outside counsel is labor counsel. Legal fees are what you use. Most firms aren't going to give you a discount. Firms will most likely charge steep fees. In his opinion, the Town is getting a steep discount from present Town Counsel now. Selectman McKinnon offered that we just need to plan for the future.

Chairman noted that the Town earned the Blue Cross Blue Shield of MA Municipal Blue Innovation Award. Chairman congratulated the Town Manager for the work he's done with this. Town Manager reported that BCBS came out Friday to present the award and a $5k check to the Town.

TOWN MANAGER'S REPORT

Town Manager noted letters sent to Senators Kerry and Brown asking them to strongly consider the benefits of natural gas vehicles as they deliberate over policy responses to the dramatic recent increase in the price of gasoline.

Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to ratify the Town Manager's appointment of D. Jeffrey Erickson and Lauren E. Bell as members of the Conservation Commission for three-year terms, expiring on 4/2/15.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted by Roll Call to go into Executive Session at 8:02 PM to discuss strategy relative to Collective Bargaining to discuss healthcare and not to return into Open Session. Roll Call: S. McKinnon, Yes; B. Quelle, Yes; S. Spataro, Yes; A. Frawley, Yes; A. Rullo, Yes. Ended at 8:15 PM.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN

2012 ANNUAL APPOINTMENTS

One Year Appointments

Fence Viewer –
Robert Whalen

Tree Warden –
Andrew Bagas

Moth Superintendent –
Andrew Bagas

Dog Officer –
Jayson Tracy

Animal Inspector –
Jessica Gardner

Alternate Animal Inspector –
Jayson Tracy

Forest Fire Warden –
Lance Benjamino

Alternate Wiring Inspector –
John Hogan

Alternate Wiring Inspector –
Michael Bell

Pound Driver & Keeper –
Jayson Tracy

Town Counsel –
Daniel F. Murray

Veterans' Agent –
Paul Provencher